



THE UNITED STATES PATENT AND TRADEMARK OFFICE

#35
B. Derry
10/31/98

Applicants: Christine L. Brakel, *et al.*)
Serial No.: 08/479,999) Group Art Unit: 1634
Filed: June 28, 1994) Examiner: Ardin H. Marschel, Ph.D.
Title: "Modified Nucleotide)
Compounds")

527 Madison Avenue, 9th Floor
New York, New York 10022

September 30, 1998

FILED BY EXPRESS MAIL

Honorable Commissioner of Patents and Trademarks
Box AF
Washington, D.C. 20231

**SUBMISSION UNDER 37 C.F.R. § 1.129 IN RESPONSE
TO MARCH 31, 1998 FINAL OFFICE ACTION AND
REQUEST FOR A THREE-MONTH EXTENSION OF TIME**

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Sir:

Applicants respectfully request that this Submission and the following amendments be entered and considered together with the accompanying remarks in response to the Final Office

EXPRESS MAIL

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Deposit Date: September 30, 1998

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Page 2 (Response to March 31, 1998 Office Action and Request for Three-Month Extension of Time) - September 30, 1998

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Action mailed on March 31, 1998 in the above-identified application.

A response to the March 31, 1998 Final Office Action was originally due by June 30, 1998. Accordingly, Applicants hereby request a three-month extension of time, to and including September 30, 1998, within which to respond to the Final Office Action and authorize the Patent and Trademark Office to charge the \$475.00 extension fee (small entity status having been previously established, and still being applicable, in the present application) to Deposit Account No. 05-1135. Therefore, the due date for filing a response to the March 31, 1998 Final Office Action is now September 30, 1998 and this Amendment is timely filed.

Moreover, pursuant to the provisions of C.F.R. § 1.129(a), Applicants respectfully request withdrawal of the finality of the March 31, 1998 Office Action. The fee for this Request under C.F.R. § 1.17(r) is \$395 for a small entity and the Patent and Trademark Office is hereby authorized to charge this fee to Deposit Account No. 05-1135.

In the event that entry of this Submission is not granted for any reason and the finality of the March 31, 1998 Office Action is maintained. Applicants are filing herewith a Notice of Appeal. If the finality of the March 31, 1998 Office Action is withdrawn, it is requested that the Notice of Appeal not be entered or be dismissed